

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Leonard Truck & Trailer Inc.,)
Plaintiff,) Case No. 4:21-cv-02362-SL
v.)
Leonard Buildings and Truck Accessories)
et al.,)
Defendants.) Judge Sara Lioi

DEFENDANTS LEONARD BUILDINGS' MOTION TO DISMISS

In accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Leonard Buildings and Truck Accessories and Leonard Aluminum Utility Buildings, LLC (collectively, “Leonard Buildings”) move to dismiss Plaintiff Leonard Truck & Trailer Inc.’s complaint in its entirety, or, in the alternative, for limited expedited discovery pursuant to Federal Rule of Civil Procedure 26(d).

As explained more in the attached memorandum in support, which is incorporated here by reference, Plaintiff has failed to state a claim for trademark infringement even if its factual allegations are presumed true as Plaintiff inexplicably, and without justification, waited well beyond the two-year statutory period to sue.

The Court should grant this motion accordingly.

Respectfully submitted,

Dated: February 25, 2022

s/ Matthew J. Cavanagh
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